

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

KOCH FOODS OF ALABAMA, LLC, an Alabama limited liability company)	
)	Case No. 07-cv-522-MHT
)	
Plaintiff and Counterclaim-defendant,)	
)	Honorable Myron H. Thompson
v.)	Honorable Terry F. Moorer
)	
GENERAL ELECTRIC CAPITAL CORPORATION, a Delaware corporation,)	
)	
)	
Defendant and Counterclaim-plaintiff.)	

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

Koch Foods of Alabama, LLC (“Koch”), by and through its counsel, hereby files this report regarding the face-to-face settlement discussions required by this Court in Section 3 of its Uniform Scheduling Order of July 17, 2007.

1. A face-to-face settlement conference was conducted by counsel for Koch and General Electric Capital Corporation (“GECC”) on December 20, 2007. The conference did not result in settlement.

2. Although Koch’s counsel believes that mediation might result in a settlement of this case before trial, GECC’s counsel does not believe that mediation will be helpful in settling this case at this time.

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Dated: December 21, 2007

Respectfully submitted,

/s/ Zhiyuan Xu

Zhiyuan Xu

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that copies of the forgoing were caused to be served upon counsel of record addressed as follows by the ECF system on this 21st day December, 2007.

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/s/ Zhiyuan Xu
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